

41
KMZR Docket No. 320836-00100
Customer No. 27160

U.S. Patent Application No.
10/092,083



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of: : Group Art Unit: 1617
David McCallister *et al.* : Examiner: Shaojia A. Jiang
Application No.: 10/092,083 :
Filed: March 6, 2002 :

TECH CENTER 1600/2900

DEC 22 2003

RECEIVED

1617

For: EFFERVESCENT COMPOSITIONS COMPRISING BISPHOSPHONATES AND METHODS
RELATED THERETO

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER
37 C.F.R. §§ 1.56, 1.97(c) AND 1.98

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO/SB/08A. In accordance with current practice, only copies of the foreign patent documents and other documents are being provided. Applicants state that each item of information contained in this Information Disclosure Statement was first cited in the corresponding International Search Report. Enclosed for the Examiner's convenience is a copy of an International Search Report issued in connection with a corresponding international application.

Because this Information Disclosure Statement is being filed after issuance of a First Office Action on the merits, but before issuance of a Final Office Action, the Commissioner to hereby authorized to charge the \$180.00 fee required under 37 C.F.R. 1.17(p) to Deposit Account No. 50-1710. A Fee Transmittal Sheet is enclosed for this purpose.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each, any, or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art

12/18/2003 MAHME1 00000046 10092083

01 FC:1806

180.00 DP

against any claim in the present application and the Applicants determine that the cited documents do not constitute "prior art" under United States law, the Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Further, Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied as prior art against the claims of the present application.

CONCLUSION

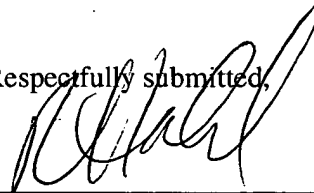
It is respectfully requested that the attached information be considered by the Examiner and that a copy of the attached Form PTO/SB/08A be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees due in connection with this filing to Deposit Account 50-1710 or credit any overpayment to same.

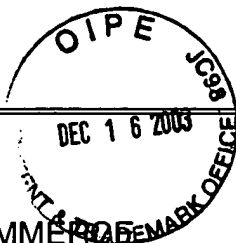
Respectfully submitted,



Robert W. Hahl, PH.D.
Registration No. 33,93
Gilberto M. Villacorta, PH.D.
Registration No. 34,038

Patent Administrator
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street, Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

Dated: December 16, 2003



FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY
APPLICANT(S)
(Use several sheets if necessary)

Date submitted to PTO:
D cember 16, 2003

ATTY DOCKET NO.
320836.00100

APPLICATION NO.
10/092,083

APPLICANT
David McCallister, *et al.*

FILING DATE
March 6, 2002

GROUP
1617

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	US 2001/0002395	5/31/2001	Anastasia G. Daifotis			
	US 4,393,531	02/29/1999	Gergely <i>et al.</i>			
	US 5,415,870	05/16/1995	Gergely			

RECEIVED
DEC 22 2003
TECH CENTER 1600/2900

FOREIGN PATENT DOCUMENTS

Country Code	Publ. Date MM-DD-YYY	Name of Patentee or Applicant of Cited Document	CLASS	SUB CLASS	TRANS. YES/NO OR ABSTRACT
WO 97/44017	11/27/1997	Merck & Co. Inc.			
WO 01/39724 A2	06/07/2001	The Regents of the Univ. of California, San Diego			
GB 2153225A	08/21/1995	Istiuto Gentili SpA			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

H.B. BULL, An Introduction to Physical Biochemistry, 1964, page 37.
L.S. Goodman, et al., The Pharmacological Basis to Therapeutics, Ninth Edition, 1995, page 51
B.J. GERTZ, et al., Studies of the Oral Bioavailability of Alendronate, Clinical Pharmacology & Therapeutics, September 1995, pages 288-298
Aldrich Handbook of Fine Chemicals and Laboratory Equipment, pages 436, 1987 and 1505
Dobrucali, A. et al., Physiological and Morphological Effects of Alendronate on Rabbit

	Esophageal Epithelium, Am. J. Physiol. Gastrointest Liver Physiol, 2002 September, vol. 283(3): pages G576-86
	Grattan, T. et al., A Five Way Crossover Human Volunteer Study To Compare The Pharmacokinetics Of Paracetamol Following Oral Administration Of Two Commercially Available Paracetamol In Combination With Sodium Tablets Containing Paracetamol In Combination With Sodium Bicarbonate Or Calcium Carbonate, European J. of Pharmaceutics and Biopharmaceutics, vol. 49 (2000), pages 225-229.
EXAMINER	DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet

1 of 2

